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## FACSIMILE TRANSMITTAL SHEET

TO: **EXAMINER ALI, Shumaya B.** FROM: GUY V. TUCKER

COMPANY: UNITED STATES PATENT OFFICE PHONE NUMBER: 650-631-3100  
GROUP ART UNIT: 3743

FAX NUMBER: 1-571-273-8300 FAX NUMBER: 650-631-3125

PHONE NUMBER: DATE: OCTOBER 26, 2005

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NOTES/COMMENTS:

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OCT 28 2005

Practitioner's Docket No. 0136.00

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alston et al.

Application No.: 10/729,832

Group No.: 3743

Filed: 12/5/2003

Examiner: ALI, Shumaya B.

For: RECEPTACLE FOR AN AEROSOLIZABLE PHARMACEUTICAL FORMULATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

## STATUS

2. Applicant is other than a small entity.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that a three month extension of time is required and is submitted herewith. Please charge the fee of \$1,020.00 for this extension to deposit account number 500348.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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## TRANSMISSION

X facsimile transmitted to the Patent and Trademark Office, (403) 571-273-8300

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Karen J. Moir  
(type or print name of person certifying)

\* Only the date of filing ( ' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" ( ' 1.10) or facsimile transmission ( ' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal--page 1 of 2

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PATENT

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I hereby certify that the following papers are being facsimile  
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Signed: \_\_\_\_\_

Karen Moir  
Karen Moir

.....  
**In the United States Patent and Trademark Office**  
.....

Applicant: Alston et al.

Applicant's Ref: 0136.00

Application No: 10/729,832

Filed: December 5, 2003

Title: Receptacle for an aerosolizable  
pharmaceutical formulation

Examiner: Ali, Shumaya B.

Group Art Unit: 3743

**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment is in response to the Office Action dated May 3, 2005 and is being filed within six months thereof with a request for a three month extension of time. The present amendment is being filed in accordance with revised rule 37 CFR 1.121. Thus, marked-up amendments to the claims and/or specification are provided and no clean versions of the amendments are provided.

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